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05                   UNITED STATES DISTRICT COURT  
06                   WESTERN DISTRICT OF WASHINGTON  
07                   AT SEATTLE

08       UNITED STATES OF AMERICA,                   )  
09    )  
10       Plaintiff,                                      )  
11    ) Case No. 05-473 M  
12       v.    )  
13       OSCAR QUINTANA,                                )  
14    )  
15       Defendant.                                      )  
16    )  
17    )

18       Offense charged:

19       Count 1. Conspiracy to distribute cocaine in violation of 21 U.S.C. §§ 841(a)(1), and  
20       841(b)(1)(C), and 846.

21       Count 2: Distribution of cocaine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C)  
22       and Section 2.

23       Date of Detention Hearing: October 18, 2005.

24       The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
25       based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
26       the following:

27       **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

28       (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant  
29       is a flight risk and a danger to the community based on the nature of the pending charges.  
30       Defendant has not overcome these presumptions.

01           (2)    Defendant is charged under an indictment from the Middle District of Florida,  
02 filed July 31, 2002.

03           (3)    Defendant has almost no ties to the Western District of Washington, and he has  
04 been living in many different jurisdictions for short periods of time.

05           (4)    Defendant has been on an absconder status with the Florida Department of  
06 Corrections since October 1999. In addition, in Washington, a bench warrant has been issued  
07 against the defendant for failure to appear on a misdemeanor charge.

08           (5)    The defendant is facing charges for which the State of Florida will be filing an  
09 extradition request.

10           (6)    Defendant has failed to overcome the presumption that he would be a risk of  
11 flight. No conditions or combination of conditions are apparent that will reasonably assure the  
12 defendant's appearance at future Court hearings.

13           IT IS THEREFORE ORDERED:

14           (1)    Defendant shall be detained pending trial and committed to the custody of the  
15           Attorney General for confinement in a correction facility separate, to the extent  
16           practicable, from persons awaiting or serving sentences or being held in custody  
17           pending appeal;

18           (2)    Defendant shall be afforded reasonable opportunity for private consultation with  
19           counsel;

20           (3)    On order of a court of the United States or on request of an attorney for the  
21           government, the person in charge of the corrections facility in which defendant  
22           is confined shall deliver the defendant to a United States Marshal for the purpose  
23           of an appearance in connection with a court proceeding; and

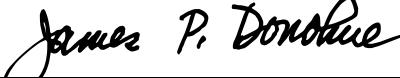
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01 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
02 counsel for the defendant, to the United States Marshal, and to the United States  
03 Pretrial Services Officer.

04 DATED this 18th day of October, 2005.

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07 JAMES P. DONOHUE  
08 United States Magistrate Judge